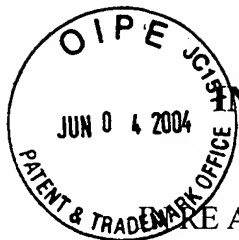


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF:

ALEXANDER K. MILLS

FOR: **Device and Method for Noninvasive
Continuous Determination of
Physiologic Characteristics**

SERIAL NO: 10/773,596

FILED: February 6, 2004

ART UNIT NO: 3736

EXAMINER: To be assigned

DOCKET NO: WT-02-004DIV2

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING OR BEFORE MAILING
OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))**

Commissioner for Patents
BOX DD
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 - 1.98 and in compliance with the duty of disclosure as defined in 37 C.F.R. §1.56, submitted herewith is information of which Applicant is aware and that Applicant believe may be material to the examination of this application.

The Information Disclosure Statement submitted herewith is being filed *within* three months of the filing date of this national application; or the date of entry of the national stage as set forth in § 1.491 in an international application; or before the mailing date of the first Office action on the merits, whichever event occurs last. Accordingly, no fee or certificate is believed to be required.

List of Sections Forming Part of Information Disclosure Statement

- X Preliminary Statement under 37 C.F.R. § 1.97(h)
- X Copies of Listed Information Items Accompanying Statement
- X Identification of Person(s) Making This Information Disclosure Statement
- X Form PTO/SB/08A (formerly Form PTO-1449)

Preliminary Statement under 37 C.F.R. § 1.97(h)

The Information Disclosure Statement Under 37 C.F.R. §1.56 is not to be construed to be an admission that the information set forth in the statement is, or is considered to be, material to patentability as defined in §1.56(b). Additionally, this Information Disclosure Statement is not to be construed as a representation that a further search of the art has been made by Applicants, or that additional information relevant to the examination of this application does not exist unbeknownst to Applicants.

Copies of Listed Information Items Accompanying Statement

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this Information Disclosure Statement.

Identification of Person Making the Information Disclosure Statement

The person making this statement is

- (a) _____ the inventor(s) who signs below

[Name of Inventor]: _____

- (b) _____ an individual associated with the filing and prosecution of this application (37 CFR 1.56(c))

[Name of Inventor]: _____

Information Disclosure Statement
ATTORNEY DOCKET NO. WT-02-004DIV2

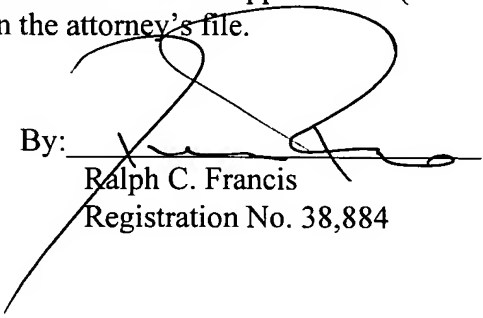
(c) XX the attorney who signs below on the basis of the information:

XX supplied by the inventor(s).

XX supplied by an individual associated with the filing and prosecution of this application. (37 CFR 1.56(c)).

XX in the attorney's file.

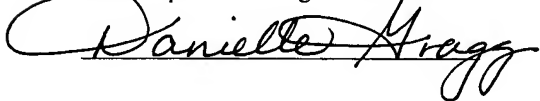
Dated: 6/4/04

By: 
Ralph C. Francis
Registration No. 38,884

FRANCIS LAW GROUP
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Alameda, CA 94501
Tel. No. (510) 769-9800

I hereby certify that this document is being deposited with the United States Postal Service on this date 6/4/04 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL994307271US addressed to the Commissioner for Patents, Box DD, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/773,596
				Filing Date	FEBRUARY 6, 2004
				First Named Inventor	ALEXANDER K. MILLS
				Group Art Unit	3736
				Examiner Name	
Sheet	2	of	2	Attorney Docket Number	WT-02-004DIV2

[illegible][illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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